

U.S. Patent Appln. No. 09/605,612
Amendment Dated Apr. 2, 2004
Reply to Office Action of Jan. 2, 2004
Docket No. 6169-142

IBM Docket No. BOC9-1999-0008

REMARKS

This response is timely filed within the three-month shortened statutory period, and as such, no fee is believed due.

In paragraphs 1-3 of the Office Action, the Examiner properly indicates that claims 1-18 and 22-27 are presently pending in the current application. Claims 19-21 have been withdrawn from consideration without prejudice. Withdrawal of claims 19-21 results from a restriction requirement set forth in an office action dated November 4, 2003 as set forth in the Applicants' response submitted on December 4, 2003.

In paragraphs 4 and 5 of the Office Action, claims 1-18 and 22-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,349,132 to Wesemann, *et al.* (Wesemann). In response, the Applicants have enclosed an affidavit under 37 C.F.R. § 1.131 showing the Applicants' date of invention predates Wesemann. The affidavit is accompanied by a copy of the Applicants' confidential invention disclosure entitled "Method and Apparatus for Synchronized Voice and Visual User Interface Access to Internet Web-Based Information". The confidential invention disclosure and affidavit demonstrate proof of conception for the claimed subject matter of the Applicants' invention at least as early as November 11, 1999, which predates the December 16, 1999 filing date of Wesemann. The Applicants further exercised due diligence from November 11, 1999 until June 28, 2000, the filing date of the instant application. Accordingly, withdrawal of the 35 U.S.C. § 102(e) rejection with respect to claims 1-18 and 22-27 is respectfully requested.

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if

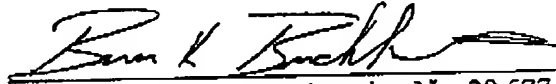
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clarification is needed on any matter within this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

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